IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 16549 of 2004

Between:

1. V. Nagamalleshwari, D/o Hanumantha Rao,

Occupation Grade-II Telugu Pandit, Christ the

King Upper Primary School, Ramanthapur,

Hyderabad.

2. K. Bharathi, D/o A. Janardhana Rao,

Occupation: Grade-II Telugu Pandit,

Emmanuel Upper Primary School, Sanathanagar,

Hyderabad.

3. P. Venkata Ramana, S/o P. Narasimha Charya,

Occupation Grade II Telugu Pandit, Venkata Rao

Memorial Aided High School, Laldarwaza,

Hyderabad.

4. Mohd. Ilyas, S/o Mohd. Ishaq, Occupation Grade II Pandit,

Zia Ui Islam U.P.S. Nallagutta, Secunderabad.

5. G. Sarojini Devi, D/o Anjaneyulu, Occupation Grade I

Telugu Pandit, Keys High School for Girls,

Secunderabad.

6. Seema Anand, D/o Ratanachand Tuli,
Occupation Grade II Hindi Pandit, Navjivan Balika
Vidyalaya, Girls High School, Hyderabad.

7. D. Jayasree Reddy, D/o D. Ranga Reddy,
Occupation Grade II Telugu Pandit,
Shri Shakti Kanyam Pathashala, Hussaini Alam,
Hyderabad.

8. D. Vyjayanthi, D/o Devi Das, Occupation Grade II,
Hindi Pandit, V.V.U.P.S. (E.M.), Hyderabad.

9. B. Venkat Rao, S/o Gopaiah, Occupation Grade II,
Telugu Pandit, New Madhu U.P.S.,
New Ashoknagar, Secunderabad.

10. G. Ankamma, D/o Raghava Rao,
Grade II Telugu Pandit, Lal Bahadur High School (Aided),
Kachiguda, Hyderabad.

11. Jamuna P. Nath, D/o R. Jayaram, Occupation Grade II
Hindi Pandit, Keys High School for Girls,
Secunderabad.

12. Sangeetha Tiwari, D/o Bala Prasad Tiwari,
Occupation Grade II Hindi Pandit, Keys High School for Girls,
Secunderabad.

13. P.V. Vimala Kumari, @ P.E. Vimala, D/o P.S. Vishwanadham,
Grade I, Telugu Pandit, Keys High School,
Secunderabad.

14. M.A. Lakshmi Kumari, D/o V. Ramanuja Charyulu,
Occupation Grade II Telugu Pandit, Saraswathi Kanya
Vidyalaya High School, Secunderabad.

..... PETITIONERS

AND

1. The Government of A.P., represented by its Secretary,
Education Department, Secretariat, Hyderabad.

2. The Commissioner and Director of School Education,
A.P., Hyderabad.

3. The Regional Joint Director of School Education,
Hyderabad.

4. The Correspondent, Christ the King U.P.S. Ramanthapur,
Hyderabad.

5. The Correspondent, The Emmanuel U.P.S., Sanathnagar,
Hyderabad.

6. Hon. Secretary-cum-Correspondent, Venkata Rao Memorial
Aided High School, Lal Darwaza, Hyderabad.

7. The Correspondent, Zia Ul Islamia U.P.S., Nallagutta,

Secunderabad.

8. The Correspondent, Keyes High School for Girls,

Secunderabad.

9. The Correspondent, Navjivan Balika Vidyalaya,

Tilak Road, Ramkote, Hyderabad.

10. The Correspondent, Shri Shakti Kanya Pathashala,

Hussaini Alam, Hyderabad.

11. The Correspondent, Saraswathi Pathasahala,

Nallakunta, Hyderabad.

12. The Correspondent, New Madhu U.P.S., New Ashoknagar,

Secunderabad.

13. The Correspondent, Lal Bhadur High School,

Nimboliadda, Hyderabad.

14. The Correspondent, Saraswathi Kanya Vidyalaya

High School, Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more in the nature of *Writ of Mandamus* declaring that the petitioners are entitled for up gradation to the post of Grade-I Pandit Scale in terms of G.O. Ms. No. 330 Education dated 10-8-1983 R/W G.O. Rt. No. 644 Education dated 7-12-2000 by extending the benefit of Judgment dated 12-9-2003 in

W.P. No. 26260/2000 and batch of the Division Bench of this Hon'ble High Court, by holding the action of the respondents in not granting Grade-I Pandit Scale to the Petitioners on part with similarly situated Grade II Language Pandits in terms of the aforesaid G.O's is as illegal arbitrary, discriminatory and subversive of articles 14, 16 and 39 (d) of Constitution of India.

Counsel for the Petitioners: MR.K.LAKSHMI MANOHAR
Counsel for the Respondents 1 to 3: GP FOR EDUCATION
Counsel for the Respondents 4 to 14: NONE APPEARED

The Court made the following:

O R D E R:

The petitioners are contending that they are working as Grade-II Language Pandits under respondents 4 to 14 schools. As per the terms of the G.O.Ms.No.330, Education, dated 10.08.1983 and G.O.Rt.No.644, Education, Dt.7.12.2000, they are entitled to the benefits of the scale of Grade-I Pandit. They acquired the qualifications of Grade-I Pandits. Though they made several representations to respondents 1 to 3, they did not consider the request for granting of scale of pay of Grade-I Pandit. Therefore, the petitioners approached this court through this writ petition to declare that they are entitled for the scale of upgradation post of Grade-I Pandit, in terms of the G.Os mentioned above.

2. The respondents 1 to 3 are expected to extend the benefits of those G.O.s to those who have acquired the requisite qualifications to get the benefits so long as they are in force. The learned counsel for the petitioner also brought to the notice of this court, the judgment of Division Bench of this Court, dated 12.09.2003 in W.P.No.26260 of 2000 and batch, wherein the order of the A.P. Administrative Tribunal refusing to extend the benefit of G.O.Ms.No.330, Education., dated 10.08.1983 to the petitioners therein for getting the benefit of the promotion scale of Grade-I Pandit is set aside.

3. In the light of the judgment of the Division Bench and in the light of the contents of the G.O.s mentioned above, the respondents 1 to 3 are directed to examine the cases of the petitioners and if they are satisfied that the petitioners are qualified to

get the promotion scale of Grade-I Pandit, by virtue of G.O.Ms.No.330, Education., Dated. 10.08.1983 and G.O.Rt.No.644, Education., dated 7.12.2000, shall extend the same by passing appropriate orders within two months from the date of receipt of a copy of this order in respect of all the petitioners.

4. Accordingly, this writ petition is disposed of. No costs.

_____

(DR. G. YETHIRAJULU,J)

15th September, 2004

Ksn

Note: Issue C.C. in one week.

B/o

Ksn

Sd/- P. Ekambaram

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Government of A.P., represented by its Secretary,
Education Department, Secretariat, Hyderabad.

2. The Commissioner and Director of School Education,
A.P., Hyderabad.

3. The Regional Joint Director of School Education,
Hyderabad.

4. The Correspondent, Christ the King U.P.S. Ramanthapur,
Hyderabad.

5. The Correspondent, The Emmanuel U.P.S., Sanathnagar,
Hyderabad.

6. Hon. Secretary-cum-Correspondent, Venkata Rao Memorial
Aided High School, Lal Darwaza, Hyderabad.

7. The Correspondent, Zia Ul Islamia U.P.S., Nallagutta,
Secunderabad.

8. The Correspondent, Keyes High School for Girls,
Secunderabad.

9. The Correspondent, Navjivan Balika Vidyalaya,

Tilak Road, Ramkote, Hyderabad.

10. The Correspondent, Shri Shakti Kanya Pathashala,

Hussaini Alam, Hyderabad.

11. The Correspondent, Saraswathi Pathasahala,

Nallakunta, Hyderabad.

12. The Correspondent, New Madhu U.P.S., New Ashoknagar,

Secunderabad.

13. The Correspondent, Lal Bhadur High School,

Nimboliadda, Hyderabad.

14. The Correspondent, Saraswathi Kanya Vidyalaya

High School, Secunderabad.

15. Two CCs to G.P. for Education, High Court Buildings,

Hyderabad (O.U.T.),

16. Two C.D. copies